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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,821	01/16/2004	Aram Garabedian	426.58	7128
27019	7590	09/05/2006		
THE CLOROX COMPANY P.O. BOX 24305 OAKLAND, CA 94623-1305			EXAMINER EL ARINI, ZEINAB	
			ART UNIT	PAPER NUMBER

1746

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/758,821

Applicant(s)

GARABEDIAN ET AL.

Examiner

Zeinab E. EL-Arini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7-17,20-22,26,27,31-37 and 39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7-17,20-22,26,27,31-37 and 39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/21/06 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4, 7, and 39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 4, 7, and 39, "solvent" lacks antecedent basis, because it is not know if it is glycol ether solvent or any solvent.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claims 1, 4-5, 7-17, 20-22, 26-27, 31-37, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/06435 (WO'435) in combination with WO'650 and Policicchio et al. (6,663,306).

WO'435 discloses a method of cleaning carpets comprising applying an aerosol carpet cleaning composition to the carpet, wiping the carpet with disposable cleaning substrate, and allowing the carpet to dry. The reference discloses the cleaning composition comprises surfactants, glycol ether solvent, and propellant as claimed. WO'435 also discloses the foaming composition, and the time to break the foam as claimed. See page 2, lines 1-21, page 3, lines 23, 30, page 7, lines 8-33, and the claims. Re claims 12, 17, 22, 27, and 35, see page 8, lines 26-33.

WO'435 as discussed supra does not teach the ratio of anionic surfactant to glycol ether solvent, the absorbency, the penetration step, the foam density and the article of manufacture as claimed.

WO'650 discloses carpet cleaners comprising surfactant, solvent. The reference also discloses the cleaning substrate comprises nonwoven material as claimed. See page 3, lines 17-21, page 4, lines 8, 20-21, page 6, lines 25-26, page 8, lines 1-10, and page 13, lines 17-23.

It would have been obvious for one skilled in the art to use the nonwoven material taught by WO'650 in the WO'435 process to improve the cleaning process .

Policicchio et al. disclose cleaning composition, pad, wipe implement system and method of use thereof. The reference discloses the cleaning composition, cleaning implement for cleaning surfaces such as floor, the instruction, and the absorbent capacity. See col. 55, lines 34-52, col. 56, lines 25-48, col. 64, line 63- col. 65, line 2, and col. 72, lines 57-64, col. 91, lines 1-33, col. 7, lines 41-67, and the claims.

It would have been obvious for one skilled in the art to use the article of manufacture and the absorbent capacity taught by Policicchio et al. in the process taught by WO'435 to shorten the time of cleaning and to improve the cleaning process. One skilled in the art would adjust the concentration and the ratio to obtain optimum results. The penetration step is inherent in the cited references. One skilled in the art would adjust the foam density to obtain optimum results.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 4-5, 7-17, 20-22, 26-27, 31-37, and 39 have been considered but are moot in view of the new ground(s) of rejection.

4. Applicant's argument with respect to the foam density is unpersuasive, because WO'435 composition has the same break time as claimed, therefore the foam as taught by WO'435 inherently has the same density as claimed.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeinab E. EL-Arini whose telephone number is (571) 272-1301. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zeinab Elarini
Zeinab E. EL-Arini
Primary Examiner
Art Unit 1746

ZEE

8/30/06